



IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
GREENVILLE DIVISION

SONY/ATV TUNES LLC, §  
ISLAND SOUL MUSIC, §  
THE 1992 DIANE WARREN TRUST, §  
d/b/a Real Songs and §  
ALMO MUSIC CORPORATION, §  
Plaintiffs, §  
§  
vs. § CIVIL ACTION NO. 6:09-2084-HFF  
§  
HARRIET GRADY-THOMAS, LLC and §  
HARRIET GRADY-THOMAS, §  
Defendants. §

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ORDER

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This case was filed as a copyright infringement action. Pending before the Court is Plaintiffs' motion for default judgment pursuant to Rule 55(b)(2) of the Federal Rules of Civil Procedure. Defendants were served with the Summons and Complaint on August 24, 2009, which required Defendants to answer or otherwise plead by September 15, 2009. *See* Fed. R. Civ. P. 12(a)(1)(A). Defendants have failed to answer or otherwise pled. The Clerk entered default on November 12, 2009, pursuant to Rule 55(a) of the Federal Rules of Civil Procedure.

In the Complaint, Plaintiffs seek to enjoin Defendants from publicly performing any musical composition in the ASCAP repertory unless licensed to do by ASCAP or the owner of the copyright to the musical composition performed. Additionally, pursuant to 17 U.S.C. § 504(c)(1) of the Copyright Act, Plaintiffs seek statutory damages in the amount of Twenty-one Thousand Dollars

(\$21,000.00), which is Seven Thousand Dollars (\$7,000.00) per infringement. Plaintiffs also seek Five Thousand Dollars (\$5,000.00) in costs and attorneys' fees pursuant to 17 U.S.C. § 505 of the Copyright Act. Because it appears from the record that Defendants have failed to timely answer, move or otherwise plead in response to Plaintiffs' Complaint after being properly served, the Court **GRANTS** Plaintiffs' motion for default judgment.

**IT IS THEREFORE ORDERED** that Defendants Harriet Grady-Thomas, LLC, and Harriet Grady-Thomas are enjoined from publicly performing any musical composition in the ASCAP repertory, unless licensed to do so by ASCAP or the owner of the copyright to the musical composition performed.

**IT IS FURTHER ORDERED** that default judgment is entered against Defendants Harriet Grady-Thomas, LLC, and Harriet Grady-Thomas in the amount of Twenty-One Thousand Dollars (\$21,000.00) in statutory damages and Five Thousand Dollars (\$5,000.00) in attorneys' fees and costs, making a total judgment of Twenty-Six Thousand Dollars (\$26,000.00).

Signed this 19th day of November, 2009, in Spartanburg, South Carolina.

s/ Henry F. Floyd  
HENRY F. FLOYD  
UNITED STATES DISTRICT JUDGE